

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: DAVID A METCALF BRENDA D
METCALF

Debtor(s)
CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE

CHAPTER 13

Movant
vs.
DAVID A METCALF BRENDA D
METCALF
Respondent(s)

CASE NO: 1-19-03608-HWV

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on February 20, 2020, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney James K. Jones, Esquire, and respectfully represents the following:

1. A Plan was filed on October 4, 2019.
 2. A hearing was held and an Order was entered on December 4, 2019 directing that an amended plan be filed within thirty (30) days.
 3. As of the date of this Motion, an amended plan has not been filed.
 4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

s/ James K. Jones, Esq.
Id: 39031
Attorney for Trustee
Charles J. DeHart, III
Standing Chapter 13 Trustee
Ste. A, 8125 Adams Drive
Hummelstown, PA 17036
Ph. 717-566-6097
Fax. 717-566-8313
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IN RE: DAVID A METCALF
BRENDA D METCALF

CHAPTER 13

Debtor(s)

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

CASE NO: 1-19-03608-HWV

NOTICE

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

Ronald Reagan Federal Bldg Date: March 25, 2020
Bankruptcy Courtroom, 3rd Floor
228 Walnut Street
Harrisburg, PA 17101 Time: 09:35 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: February 20, 2020

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IN RE: DAVID A METCALF
BRENDA D METCALF

Debtor(s)

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

CHAPTER 13

DAVID A METCALF
BRENDA D METCALF

CASE NO: 1-19-03608-HWV

Respondent(s)

CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on February 20, 2020, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1st Class mail, unless served electronically.

STEPHEN WADE PARKER, ESQUIRE
MOONEY LAW
230 YORK STREET
HANOVER, PA 17331-

Served electronically

United States Trustee
228 Walnut Street
Suite 1190
Harrisburg, PA 17101

Served electronically

DAVID A METCALF
324 FOX KNOLL CT.
HANOVER, PA 17331

Served by 1st Class Mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: February 20, 2020

Respectfully,
Vickie Williams
for Charles J. DeHart, III, Trustee
Suite A, 8125 Adams Dr.
Hummelstown, PA 17036
Phone: (717) 566-6097
eMail: dehartstaff@pamd13trustee.com

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: DAVID A METCALF
BRENDA D METCALF

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| Debtor(s) CHARLES J. DEHART, III CHAPTER 13 TRUSTEE Movant DAVID A METCALF BRENDA D METCALF | CHAPTER 13 CASE NO: 1-19-03608-HWV Respondent(s) |
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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.